

REMARKS

Reconsideration of the above-identified patent application is respectfully requested. Claims 1-10, 36-45, and 71 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,436,005 to Bellinger (hereinafter Bellinger) in view of U.S. Patent No. 5,553,589 to Middleton (hereinafter Middleton).

In regard to claims 1 and 36, these claims have been amended to correct typographical errors, and not for any purpose related to patentability of these claims. These amendments do not narrow the scope of either claim.

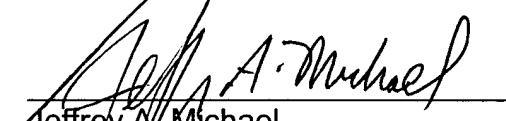
In further regard to claim 1, the Examiner rejected this claim under 35 U.S.C. §103(a) as being unpatentable over Bellinger in view of Middleton. However, neither Bellinger nor Middleton, nor the combination thereof, teach or suggest all the elements of claim 1. For example, neither Bellinger nor Middleton teach or suggest a ". . . control computer modifying said engine speed difference as a continual function of said vehicle speed signal," as recited in claim 1. Because neither Bellinger nor Middleton teach or suggest all the elements of claim 1, the combination of Bellinger and Middleton cannot be said to render claim 1 §103(a) obvious. For at least this reason, Applicant believes claim 1 to be in condition for allowance.

In regard to claim 36, the Examiner rejected this claim under 35 U.S.C. §103(a) as being unpatentable over Bellinger in view of Middleton. However, neither Bellinger nor Middleton, nor the combination thereof, teach or suggest all the elements of claim 36. For example, neither Bellinger nor Middleton teach or suggest a ". . . control computer modifying said at least one gain value as a continual function of said vehicle speed signal." Specifically, Middleton discloses ". . . modify[ing] the integral portion [of a PID controller] to provide a droop gain at the pole of the transfer function corresponding to the integral portion of the PID controller," but clearly does not teach or suggest "modifying said at least one gain value as a *continual function of said vehicle speed signal*," as required by claim 36. Accordingly, because neither Bellinger nor Middleton teach or suggest all the elements of claim 36, the combination of Bellinger and Middleton cannot be said to render claim 36 §103(a) obvious. For at least this reason, Applicant believes claim 36 to be in condition for allowance.

In regard to claim 71, the Examiner rejected this claim under 35 U.S.C. §103(a) as being unpatentable over Bellinger in view of Middleton. However, neither Bellinger nor Middleton, nor the combination thereof, teach or suggest all the elements of claim 71. For example, neither Bellinger nor Middleton teach or suggest a ". . . control computer modifying said engine speed difference and said at least one gain value as a function of said operating condition signal," as recited in claim 71. Because neither Bellinger nor Middleton teach or suggest all the elements of claim 71, the combination of Bellinger and Middleton cannot be said to render claim 71 §103(a) obvious. For at least this reason, Applicant believes claim 71 to be in condition for allowance.

Applicants have amended claims 1 and 36 to correct a typographical error. For at least the reasons cited above, claims 1, 36, and 71 are believed to be in condition for allowance. Because claims 2-10 and claims 37-45 depend from claims 1 and 36, respectively, these claims are also believed to be in condition for allowance. Accordingly, claims 1-10, 36-45, and 71 are believed to be in condition for allowance, and such action is solicited. The Examiner is cordially invited to contact the undersigned by telephone to discuss any unresolved matters.

Respectfully submitted,



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